

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

CHANDA SECKEL
on behalf of herself and all
others similarly situated,

Plaintiff,

Case No. 20-cv-1462

v.

LIMITLESS POSSIBILITIES LLC

Defendant

PROPOSED ORDER

On April 6, 2021, the parties filed their Joint Motion for Preliminary Approval of Settlement and supporting documentation with this Court. (ECF Nos. 12 to 14.)

This Court GRANTS the parties' Joint Motion for Preliminary Settlement Approval, (ECF No. 12), and ORDERS the following:

1. The parties' Settlement Agreement, (ECF No. 12-1), is a fair, reasonable, and adequate resolution of a bona-fide dispute under the FLSA and the WWPCCL;
2. For settlement purposes only, this case is certified as a class action under Federal Rule of Civil Procedure 23;
3. For settlement purposes only, this case is certified as a collective action pursuant to the FLSA;
4. Plaintiff, Chanda Seckel, is appointed as Class Representative;
5. Plaintiff's Counsel, Walcheske & Luzi, LLC, is appointed as Class Counsel pursuant to Federal Rule of Civil Procedure 23(g);

6. The parties' "Notice of Class and Collective Action and Proposed Settlement" (the "Notice") substantially in the form of Exhibit 3 to the parties' Settlement Agreement, (ECF No. 12-1), is approved for distribution to all Class Members and potential Collective Members;
7. The Opt-In Consent Form substantially in the form of Exhibit 4 (the "Consent Form") to the parties' Settlement Agreement, (ECF No. 12-1), is approved for distribution to all Class Members and potential Collective Members;
8. The Notice for distribution to all Class Members and potential Collective Members constitutes the best notice practicable under the circumstances, including individual notice to all Class Members and potential Collective Members who can be identified with reasonable effort, and constitutes valid, due, and sufficient notice to Class Members and potential Collective Members in full compliance with the requirements of applicable law, including the due process clause of the United States Constitution;
9. Each Class Member who wishes to be excluded from the Rule 23 Class must opt-out pursuant to the instructions set forth in the Notice, and that any such responses must be received by thirty (30) calendar days after the mailing of the Notice;
10. Any Class Member who has not properly and timely requested exclusion from the Rule 23 Class will be bound in the event the Court issues a Final Order Approving Settlement;
11. A Fairness Hearing will be scheduled to determine whether this Settlement Agreement should be approved as fair, reasonable and adequate, and whether the proposed Final Order Approving Settlement should be entered;
12. Class Counsel will file a Petition for Approval of Attorneys' Fees and Costs at least fourteen (14) calendar days prior to the Fairness Hearing, and any supplemental brief in support of final approval of the Settlement Agreement or in response to any objections to the application for attorneys' fees be filed at least seven (7) calendar days before the Fairness Hearing, and that the Court will determine at the Fairness Hearing in what amount attorneys' fees and reimbursement of costs and expenses should be awarded to Class Counsel; and
13. Any Class Member who wishes to object in any way to the proposed Settlement Agreement must file and serve such written objections pursuant to the instructions set forth in the Notice no later than sixty (60) calendar days after the mailing of the Notice, together with copies of all papers in support of his or her position.

Dated this _____ day of April, 2021

BY THE COURT

The Honorable William C. Griesbach
United States District Judge